

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NATHAN BONDS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C18-0131-JCC

ORDER DENYING CERTIFICATE
OF APPEALABILITY

This matter comes before the Court on remand from the United States Court of Appeals for the Ninth Circuit (Dkt. No. 18). The Court of Appeals has directed this Court to grant or deny a certificate of appealability in this case. (*Id.* at 1.)

To obtain a certificate of appealability, a petitioner must make a “substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). “A petitioner satisfies this standard by demonstrating that jurists of reason could disagree with the district court’s resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

Petitioner Nathan Bonds sought to vacate, set aside, or correct his sentence under 28 U.S.C. section 2255, arguing that during his trial the Court provided the jury with *ex parte* oral instructions and that Petitioner received ineffective assistance of trial and appellate counsel. (*See generally* Dkt. No. 1.) The Court denied Bonds’ habeas petition, concluding that the evidence

1 Bonds presented did not support his assertions, which were also controverted by the record. (Dkt.
2 No. 14 at 4–7.) The Court finds that any reasonable jurist would reach the same conclusion.

3 Thus, the Court declines to issue a certificate of appealability on all issues in this case.

4 DATED this 7th day of June 2018.

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8 John C. Coughenour
9 UNITED STATES DISTRICT JUDGE
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